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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/606,474

06/26/2003

Robert P. Cozier

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11/21/2006

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/606,474	<b>Applicant(s)</b> COZIER ET AL.	
	<b>Examiner</b> Dennis G. Bonshock	<b>Art Unit</b> 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6-26-03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "customizable share system 40" as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 47. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 6-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 6 recites the limitation "each icon" in line 7. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugimoto, Patent No.: US 6,829,009 B2 and Ward et al., Patent No.: US 6,784,924, B2, hereinafter Ward.

8. With regard to claim 1, which teaches a system comprising: a display; an external device coupled to the system; and customizable menu that is displayable on the display and which comprises a plurality of customizable and selectable user interface items that respectively correspond to selected tasks or actions that may be performed by a user, each user interface item having one or more subtasks or sub-actions associated therewith, which tasks/actions and subtasks/sub-actions are selectable by the user and which initiates a through connection with the external device, and causes the selected task or action to be performed on the external device in a preprogrammed manner, Sugimoto teaches, in column 3, lines 30-35 and 44-50, a digital camera comprising a display for allowing user selection of options from a menu. Sugimoto further teaches, in column 7, lines 10-20, the automatic customization of the menu. Sugimoto further teaches, in column 6, lines 6-25 and figure 5, user selectable

menu options where menu options have sub-menu options further selectable by the user.

Sugimoto, however, doesn't list menu options initiating a connection with an external device. Ward teaches a digital camera with a LCD for selecting menu options from a custom subset of a menu (see column 3, lines 15-26), similar to that of Sugimoto, but further teaches the camera being in communication with a external device and selecting a menu option to initiate a connection with the external device, for performing a selected action (see column 1, lines 57-62 and column 3, lines 14-39). It would have been obvious to one of ordinary skill in the art, having the teachings of Sugimoto and Ward before him at the time the invention was made to modify camera of Sugimoto to include the means for establishing a connection to an external device, as did Ward. One would have been motivated to make such a combination because cameras have a limited storage space and through connection to an external device (printer, PC, etc.) the user is able to transfer images off of the camera and increase storage capacity, furthermore, initiating the transfer from the camera allows the user to easily transmit images to a desired location.

9. With regard to claim 2, which teaches the system comprises a digital camera, Sugimoto teaches, in column 3, lines 6-35, the system comprising a digital camera.

10. With regard to claim 3, which teaches the tasks are selected from the group consisting of printing, e-mailing, archiving and downloading data from the system, Ward teaches, in column 1, lines 57-62 and column 3, lines 14-39, using the system for transmitting images to a storage location, printing, or emailing the images.

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11. With regard to claim 4, which teaches the external device comprises a printer, Ward teaches, in column 3, lines 14-39 and column 5, lines 8-11, connecting the camera to a print device.

12. With regard to claim 5, which teaches the external device comprises a computer, Ward teaches, in column 1, lines 25-33, column 3, lines 14-39, and column 5, lines 8-11, the external device being a personal computer.

13. With regard to claim 6, which teaches a method comprising the steps of: providing a system comprising a display and an external device coupled to the system; programming the system to have a customizable menu that is displayable on the display and which comprises a plurality of customizable and selectable user interface items that respectively correspond to selected tasks or actions that may be performed by a user, each icon selectively having one or more subtasks or sub-actions associated therewith; selecting one of the icons to perform a desired task or action; and initiating a through connection with the external device to cause the selected task or action to be performed on the external device in a preprogrammed manner, Sugimoto teaches, in column 3, lines 30-35 and 44-50, a digital camera comprising a display for allowing user selection of options from a menu. Sugimoto further teaches, in column 7, lines 10-20, the automatic customization of the menu. Sugimoto further teaches, in column 6, lines 6-25 and figure 5, user selectable menu options where menu options have sub-menu options further selectable by the user.

Sugimoto, however, doesn't list menu options initiating a connection with an external device. Ward teaches a digital camera with a LCD for selecting menu options from a custom subset of a menu (see column 3, lines 15-26), similar to that of Sugimoto, but further teaches the camera being in communication with a external device and selecting a menu option to initiate a connection with the external device, for performing a selected action (see column 1, lines 57-62 and column 3, lines 14-39). It would have been obvious to one of ordinary skill in the art, having the teachings of Sugimoto and Ward before him at the time the invention was made to modify camera of Sugimoto to include the means for establishing a connection to an external device, as did Ward. One would have been motivated to make such a combination because cameras have a limited storage space and through connection to an external device (printer, PC, etc.) the user is able to transfer images off of the camera and increase storage capacity, furthermore, initiating the transfer from the camera allows the user to easily transmit images to a desired location.

14. With regard to claim 7, which teaches further comprising the step of: after selecting one of the icons to perform a desired task or action, selecting a subtask or sub-action associated with the desired task or action, Sugimoto teaches, in column 6, lines 6-26 and in figure 5, selection of a menu icon revealing a plurality of sub-actions selectable by a user.

15. With regard to claim 8, which teaches the system comprises a digital camera, Sugimoto teaches, in column 3, lines 6-35, the system comprising a digital camera.



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16. With regard to claim 9, which teaches wherein the tasks are selected from the group consisting of printing, e-mailing, archiving and downloading data from the system, Ward teaches, in column 1, lines 57-62 and column 3, lines 14-39, using the system for transmitting images to a storage location, printing, or emailing the images.

17. With regard to claim 10, which teaches wherein the external device comprises a printer, Ward teaches, in column 3, lines 14-39 and column 5, lines 8-11, connecting the camera to a print device.

18. With regard to claim 11, which teaches wherein the external device comprises a computer, Ward teaches, in column 1, lines 25-33, column 3, lines 14-39, and column 5, lines 8-11, the external device being a personal computer.

### ***Conclusion***

19. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach systems for providing custom menus and transferring images from a digital camera.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

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21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

10-13-06  
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